



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/187,749 11/09/98 UTSUMI

K 1080.1067/JD

EXAMINER

TM02/0319

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IRSHADULLAH, M

ART UNIT

PAPER NUMBER

2163

DATE MAILED:

03/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory ActionApplication No.
09/187,749Applicant
Utsumi et al.Examiner
M. IrshadullahGroup Art Unit
2163**THE PERIOD FOR RESPONSE: [check only a) or b)]**a) ☒ expires 3 months from the mailing date of the final rejection.b) ☐ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due two months from the date of the Notice of Appeal filed on _____ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Feb 28, 2001 has been considered with the following effect, but is **NOT** deemed to place the application in condition for allowance:

☒ The proposed amendment(s):☒ will be entered upon filing of a Notice of Appeal and an Appeal Brief.☐ will not be entered because:☐ they raise new issues that would require further consideration and/or search. (See note below).☐ they raise the issue of new matter. (See note below).☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: _____

☐ Applicant's response has overcome the following rejection(s): _____

☐ Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

☒ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:

Please see the attached sheet.

☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: _____

Claims objected to: _____

Claims rejected: 1-8

☐ The proposed drawing correction filed on _____ ☐ has ☐ has not been approved by the Examiner.

☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Other

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Art Unit: 2163

The response to arguments presented in the correspondence filed February 28, 2001 is as set out below:

Page 5-6, " Hasebe discloses an (col 5, lines 31-33 and col 7, line 64 to col 8, line 4).

The applicant is referred to Hasebe et al: " col 5, lines 3-5, specifically lines 13-16, which clearly recite that " it is possible to transfer the stored electronic data to another user so that it is possible to use this medium 1 in another computer ". Another computer would, undoubtedly, be second user's computer- second user with second use information. Also, the storage medium would also change and would have its own particular personal number (second medium ID).

Again, applicant will appreciate that as users would transfer information from vendor to seller or user to user, the use information etc. would also change/alter and would be named second use information, third use information etc.

Furthermore, Hasebe et al, col 5, lines 17-20 unambiguously recite: " Figs. 3 to 14 are explanatory views for embodiments of the present invention. As one example of electronic data shown in Fig. 2, an explanation is given next for software used for a computer ".


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